

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ANN MARIE CURRAN,

Plaintiff,

vs.

Civil Action 2:09-CV-219
Judge Frost
Magistrate Judge King

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

ORDER

On May 20, 2011, the United States Magistrate Judge recommended that the Commissioner's motion to dismiss be granted, that plaintiff's application for attorney's fees be denied and that plaintiff's motion regarding attorney's fees be granted in part. *Report and Recommendation*, Doc. No. 39. Although the parties were advised of their right to object to the recommendation, and of the consequences of their failure to do so, there has nevertheless been no objection.

The *Report and Recommendation* is **ADOPTED and AFFIRMED**. The Commissioner's *Motion to Dismiss*, Doc. No. 34, is **GRANTED**. Plaintiff's *Application for Attorney's Fees*, Doc. No. 33, is **DENIED**. Plaintiff's *Motion Regarding Attorney's Fees*, Doc. No. 36, is **GRANTED in part**.

Plaintiff may renew her application for attorney's fees, which shall be briefed by the parties in accordance with the local rules of this Court.

/s/ Gregory L. Frost
Gregory L. Frost
United States District Judge